

REMARKS

Claims 47, 48, 54, 57 and 62 – 64 are currently pending in this application. Claims 54, 57 and 64 have been rejected. Claims 47, 48, 62 – 63 have been allowed. Claims 1 – 46, 49 – 53, 55 – 56 and 58 – 61 were previously canceled.

Claims 54 and 64 have been amended to more particularly recite the claimed subject matter. Support for the amendments appears at least in original claims 54 and 57, and throughout the specification as filed, for example, at paragraphs [00153] and [00157]. Claims 62 and 63 have been amended to correct inadvertent typographical errors. Claim 57 has been canceled without prejudice.

None of these amendments adds any new matter.

The withdrawal of all previous rejections is acknowledged with appreciation.

Information Disclosure Statement

The Examiner's consideration of the Information Disclosure Statement filed on January 7, 2005 is acknowledged with appreciation.

Rejections Under 35 U.S.C. § 112, first paragraph

Claims 54, 57 and 64 stand rejected under 35 U.S.C. § 112, first paragraph, because, as stated in the Office Action (page 2), the claims allegedly contain “subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.” As further stated in the Office Action (page 5), that while “the specification appears to reasonably convey, in view of the method steps, a method of identifying agents which modulate Mdm2-HAUSP interaction, the specification does not appear to be commensurate in scope with the claimed invention which identifies inhibitors of two distinct proteins by performing the same steps.”

In reply, Applicants traverse the rejection. Claim 57 has been canceled without prejudice, thus rendering moot the rejection of claim 57. To more particularly point out and distinctly claim the invention, claims 54 and 64 have been amended. Claim 54 has been

amended and is directed to a method for determining whether an agent is reactive with Mdm2 or HAUSP, comprising the steps of: (a) contacting a candidate agent with either (i) Mdm2, in the presence of HAUSP, or (ii) HAUSP, in the presence of Mdm2; and (b) determining whether the candidate agent inhibits Mdm2-HAUSP protein complex formation, wherein determination of inhibition of Mdm2-HAUSP protein complex formation in (b) compared to Mdm2-HAUSP protein complex formation in the absence of the agent indicates that the agent is reactive with Mdm2 or HAUSP. Applicants contend that the specification enables one of ordinary skill in the art to make or use the method recited in amended claim 54. Indeed, according to the Office Action (pages 4-5), the specification teaches “that the instant invention encompasses methods of identifying agents which are reactive with Mdm2 or HAUSP, comprising the steps of contacting a candidate agent with Mdm2 or HAUSP, in the presence of the other; and assessing the ability of the candidate agent to inhibit HAUSP-Mdm2 interaction.” Thus, Applicants respectfully request withdrawal of the rejection of claim 54 under 35 U.S.C. § 112, first paragraph.

Claim 64 also stands rejected under 35 U.S.C. § 112, first paragraph. Claim 64 depends from claims 54 and 57. The Examiner did not articulate a particular reason for the rejection of claim 64. Thus, Applicants believe that claim 64 was rejected for depending from rejected claims 54 and 57.

In reply, claim 64 has been amended to depend from claim 54 only, in view of the cancellation of claim 57. Based on the above, Applicants submit that present claim 54 satisfies the requirements of 35 U.S.C. § 112, first paragraph, and thus, claim 64 properly depends from claim 54.

Therefore, Applicants submit that the claims satisfy the requirements of 35 U.S.C. § 112, first paragraph. Accordingly, withdrawal of the rejections under 35 U.S.C. § 112, first paragraph, is respectfully requested.

CONCLUSION

It is respectfully requested that the Examiner enter the present amendment, consider the foregoing remarks, and allow the pending claims to issue.

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No fees are believed to be due with the filing of this response. However, the Director is hereby authorized to charge any fees due, or credit any overpayment, to Deposit Account No. 08-0219 under order number 19240-431 US1.

Respectfully submitted,

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